

Message Text

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PAGE 01 DUBLIN 00965 301645Z

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ACTION SCS-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 L-03 SSO-00 /019 W

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O R 301616Z MAY 75

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC NIACT IMMEDIATE 6836

INFO AMEMBASSY LONDON

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LONDON FOR DEA REP

REF: STATE 122839

E.O. 11652: N/A

TAGS: SNAR, CGEN (U.S. VS. DALY), EI

SUBJECT: JUDICIAL ASSISTANCE IN DALY CASE

1. SUMMARY AND CONCLUSION. DESPITE HIGHEST LEVEL INTERVENTION, THE EMBASSY WILL BE UNABLE TO DELIVER THE REQUESTED DOCUMENTATION BY MONDAY, JUNE 2. END SUMMARY.

2. THE APPROPRIATE LEGAL OFFICER IN THE IRISH FOREIGN MINISTRY WILL BE OUT OF THE COUNTRY UNTIL JUNE 3. CONSEQUENTLY, THE AMBASSADOR CALLED MANAGING DIRECTOR MORRISON OF THE BANK OF IRELAND TO REQUEST HIS ASSISTANCE IN OBTAINING INFORMATION AND THE BANK DOCUMENTATION REQUESTED REFTEL. A SUBSEQUENT MEETING OF DCM AND A CHIEF LEGAL OFFICER OF THE BANK OF IRELAND PRODUCED THE FOLLOWING INFORMATION.

3. LEGISLATION IN IRELAND REGULATING BANKING ACTIVITIES PROHIBIT DIVULGING INFORMATION ON BANK ACCOUNT TRANSACTIONS TO THIRD PARTIES WITHOUT A COURT ORDER WHICH IN CASES SUCH AS THIS ARE NORMALLY OBTAINED BY THE POLICE. UNAUTHORIZED RELEASE OF SUCH INFORMATION TO THIRD PARTIES RENDERS THE BANK LIABLE TO CIVIL SUIT BY THE DEPOSITOR BASED ON THE CONTRACTUAL RELATIONSHIP BETWEEN THE DEPOSITOR AND THE BANK.

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PAGE 02 DUBLIN 00965 301645Z

4. NEVERTHELESS, THE BANK OF IRELAND IS DESIROUS OF HELPING US

IN ANY WAY POSSIBLE AND ITS OFFICERS AGREED, IN THE INTEREST OF SAVING TIME AND BASED ON OUR INFORMAL REQUEST, TO BEGIN A SEARCH OF PETER DALY'S TRANSACTIONS WITH THE BANK OF IRELAND SINCE 1969. THIS WILL ELIMINATE DELAYS IF AND WHEN A COURT ORDER IS OBTAINED. NO ACCOUNTS IN DALY'S NAME SHOW UP ON A COMPUTER CHECK OF THE MAIN OFFICE OR BRANCH OFFICES THAT ARE "COMPUTERIZED." THE BANK REPORTS, HOWEVER, THAT VERY FEW OF ITS BRANCHES IN COUNTY DONEGAL HAVE COMPUTERIZED OPERATIONS AND THUS THE SEARCH WILL CONTINUE BY CIRCULATING BRANCH MANAGERS IN THAT COUNTY. WE WILL FOLLOW THIS ASPECT OF THE CASE UP IMMEDIATELY NEXT WEEK. (MONDAY, JUNE 2, IS A LEGAL HOLIDAY IN IRELAND).

5. WITH REGARD TO INVESTMENT IN REAL ESTATE IN COUNTY DONEGAL OR ELSEWHERE THE LAND REGISTRY OFFICE IN DUBLIN HAS CONDUCTED A RECORD CHECK IN PETER DALY'S NAME AND THOSE OF HIS FAMILY MEMBERS. THE RECORD REVEALS THAT ONE DR. PATRICK DALY, PRESUMED TO BE PETER DALY'S FATHER, IS A LAND-OWNER OF RECORD IN THE COUNTY. WE ARE PURSUING THIS ASPECT OF THE CASE TO DETERMINE WHEN THE PROPERTY WAS PURCHASED AND THE VALUE. THE EMBASSY IS PURSUING THE POSSIBILITY THAT PETER DALY OR A MEMBER OF HIS FAMILY HAS PURCHASED REAL ESTATE IN ONE OF THE OTHER TWENTYFIVE COUNTIES IN THE REPUBLIC OF IRELAND. THIS IS BY NO MEANS AN EASY TASK AND WE ARE IN CONTACT WITH IRISH DRUG SQUAD OFFICER GREVILLE TO GET INFORMATION ON OTHER AREAS IN IRELAND WHERE PETER DALY MAY HAVE LIVED DURING HIS SOJOURN HERE.

6. THE EMBASSY IS FULLY AWARE OF THE HIGH PRIORITY THAT THE DEPARTMENT AND THE USG PLACE ON NARCOTICS CONTROL ACTIVITIES AND ON PROSECUTIONS SUCH AS THE DALY CASE. THE DEPARTMENT CAN BE ASSURED THAT THE EMBASSY IS DOING EVERYTHING POSSIBLE TO OBTAIN THE REQUESTED INFORMATION CONSISTANT WITH LEGAL CONSTRAINTS AND PREVAILING PRACTICES IN IRELAND.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DRUG CONTROL, BANK ACCOUNTS, COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975DUBLIN00965
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750189-1099
From: DUBLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975052/aaaaabgi.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 122839
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 04 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 JUN 2003 by MartinML>; APPROVED <05 JUN 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: SNAR, CGEN, US, EI, (DALY, PETER)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006